**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.2722 OF 2007**
**IN**
**SHORT CAUSE SUIT NO.235 OF 1998**

Maharashtra State Powerlooms Corporation Ltd. ...Plaintiffs

Versus

The Bombay Dyeing & Mfg Co & Anr. ...Defendants

Shri G.K.Karkera for the Plaintiffs.

Shri Vishal Kanade i/by Prem Ranga for the Defendant No.1.

**CORAM : ABHAY S.OKA, J.**
**DATED : AUGUST 27, 2007.**

**P.C.:**

1. Heard the learned counsel appearing for the parties. In view of the averments made in the affidavit in support of the Notice of Motion, a case for restoration of the suit which is dismissed in default is made out.

2. The learned counsel appearing for the 1st Defendant states that the 1st Defendant will file written statement within a period of two weeks from today. The learned counsel appearing for the Plaintiff has no objection if the 1st Defendant is permitted to file written statement within a period of two weeks from today.

3. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

4. If the 1st Defendant files written statement within a period of two weeks from today, the same shall be accepted. The suit shall be listed for "directions" on 26th September, 2007.

**JUDGE**